

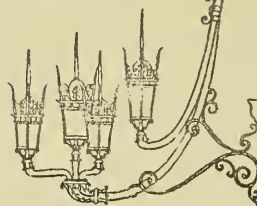
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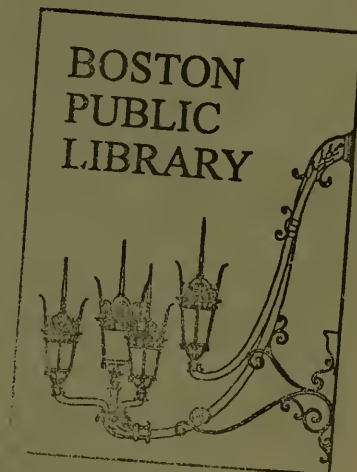
ZONING POLICIES for BOSTON

PROMOTE
new construction

PROTECT
good development

CORRECT
deficiencies

AND ADAPT
to needs of future



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OFFICE OF

THE CITY PLANNING BOARD

43 City Hall

BOSTON 8, MASS.

December 15, 1953.

Honorable John B. Hynes,
Mayor of Boston,
Boston, Massachusetts

Your Honor:

I am privileged to transmit herewith on behalf of the City Planning Board a preliminary report on the rezoning studies of Boston, entitled "Zoning Policies for Boston".

This study has been undertaken by direction of Your Honor, who, after a joint conference with the Planning Board and the Board of Zoning Adjustment in 1952, recommended that a special appropriation be made available to the Planning Board to initiate a broad scale rezoning study.

This pamphlet has been designed to bring to the attention of the public the problems involved and the lines along which we are thinking. There are no final conclusions or recommendations, since a great deal of work remains to be done. We hope for helpful comments and criticisms to guide our further studies.

Very truly yours,

Thomas F. McDonough

Thomas F. McDonough
Chairman



THOMAS E. MCCORMICK
DIRECTOR OF PLANNING

MARY T. DOWNEY
SECRETARY

ZONING POLICIES for BOSTON

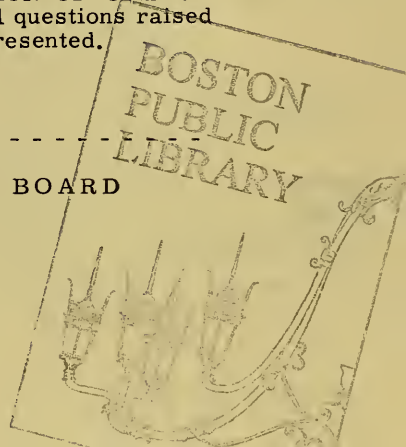
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THIS STATEMENT OF AIMS AND PROPOSALS was prepared by the staff and consultants to the Boston City Planning Board, which has reviewed the material and authorized its release for public consideration. A fuller account of the technical phases can be found in a TECHNICAL SUPPLEMENT issued separately and available at the offices of the Planning Board.

THE BOARD SEEKS AND INVITES EXPRESSION OF OPINION from all in the community interested in the vital questions raised by the policy recommendations here presented.

BOSTON CITY PLANNING BOARD

December 1953



1924

1954

FACTORIES & WAREHOUSES

High buildings on small sites

One-story plants, on sites ample for parking and loading

OFFICES & DOWNTOWN STORES

Congested buildings entangled in traffic

Orderly redevelopment, separation of trucks, cars, shoppers

LOCAL SHOPPING CENTERS

Many, small stores; ribbon or four-corner formation, traffic interference

Larger stores with site room for loading, customer parking, growth

ELEVATORS & WALK-UP APTS.

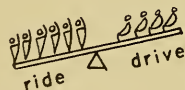
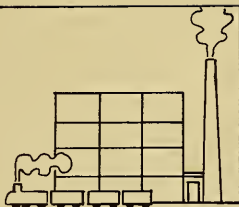
Inadequate space for modern standards of play-space and off-street parking

More usable open space, off-street parking, flexible design

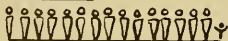
TRAFFIC & DRIVER FACILITIES

PROPORTION USING MASS TRANSIT vs. CAR or TRUCK to DOWNTOWN BOSTON, 1927-'50

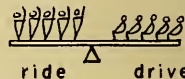
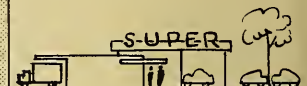
BOSTON'S PASSENGER CARS, 1930-1950
Better space provisions and access controls needed for roadside services—gas, motels, restaurants, theatres and shopping centers.



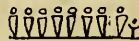
61,000 cars



15 1/2 persons per car



90,000 cars



8 1/2 persons per car

THIRTY YEARS of CHANGE

I. PURPOSES OF REZONING BOSTON

Boston needs a new zoning code. In recent years more and more of those concerned with the future of the city have grown aware of this - builders, investors, real estate and neighborhood groups; public administrative officials and planning officials. It is no disrespect to the original 1924 zoning statute to admit that the world has moved in these 30 years.

Changes of all sorts have outmoded the 1924 zoning. Metropolitan growth trends have altered our ideas of how certain intown areas will and should develop. Many parts of the city have completely changed their character. New methods of building design and construction, and new practices in building economics, have made obsolete the 1924 standards - for heights of buildings, density, spacing, and other features. Changes in the average size of family and other social changes have outdated large residential areas, and the zoning that now regulates them. The auto and the truck have wrought their revolutions in the way people live and do business, and in the face of the city as a result. The city is confronted with a need for even more sweeping changes in the future, to fit Boston for living and doing business in the second half of the twentieth century. And one of the most critical needs is the attraction of new building and investment capital to bolster the sagging tax base and support an adequate level of municipal services and facilities.

The original zoning has not, of course, gone unaltered. There have been a few changes in the text and a number in the map. But each change has been piecemeal, leaving the code as a whole overwhelmingly out of date. Since the statute was enacted, the whole zoning process has been too separated from the planning process.

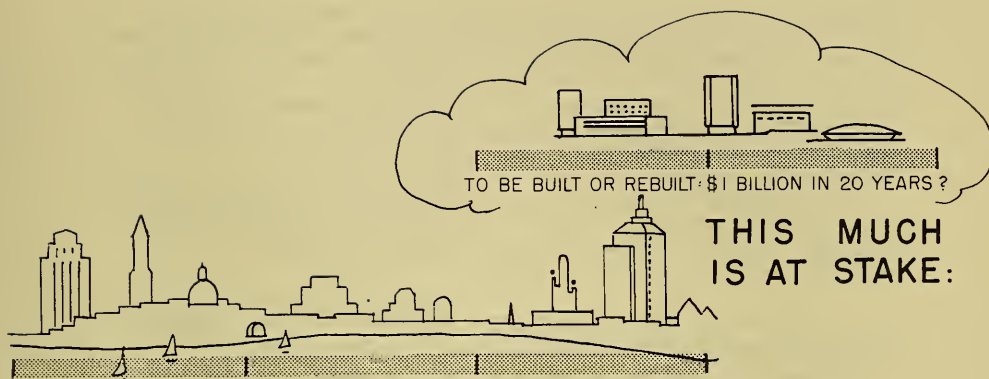
The 1924 zoning was proposed in the light of the best city-planning thinking of that day, at a time when Boston was in the forefront of city planning. During much of the period since the depression, however, the planning agency has suffered from a long period of neglect by the municipal government, and the city itself has suffered as a result. The present administration has begun to remedy this lack, and two years ago the Preliminary General Plan of Boston was published, representing a new, comprehensive proposal for the city's long-range development. This plan, designed in recognition of the technological, social, and economic changes of the last quarter-century, offers a sound footing on which to base studies of a new zoning code.

THE FUTURE AT STAKE

There is a tendency to think that, because Boston is almost all built-up, not much building can be expected in the future; and therefore zoning, which is thought of as principally regulating new construction, is not of great significance. As a matter of fact, over the next 20 years as much as a billion dollars of new construction or alterations may be at stake. Made up of both new building and replacement, this compares with a present taxable value of land and buildings of about a billion and a half dollars. Though not entirely net additions to valuation, such a sum is obviously of great importance to the city, and not merely because of the significance to the fiscal operations of the city government of whatever part of this amount will be new taxable value. The activities represented by this new construction will have tremendous impact upon the economic base of the community, and the location and form of the structures themselves will constitute a large part of the physical pattern within which Boston will live, work, and do business in the future.

The kind of zoning Boston has in force, therefore, during this coming quarter-century, will have a great deal to do with the form and life of the city, and may also strongly influence the volume of construction activity itself.

This billion-dollar estimate is based on the broad features of the Preliminary General Plan of Boston, and on the fact that a living city is constantly being built and rebuilt. The sum is a rough total of a series of estimates, which themselves illustrate the extensiveness of the future development which will be influenced for better or worse by zoning.



PRESENT STRUCTURES WORTH \$1½ BILLION;

The first item is construction on vacant land. The General Plan studies showed 4,000 acres of vacant land in the city. Under an assumption that the buildable 80% of this will be built up in 20 years, the estimate is for 18,000 new dwelling units, at \$8,000 construction cost, and 15 million square feet of non-residential floor-space, at \$8 per square foot, giving a total of \$270 million excluding buildings for public or semi-public uses.

The second item deals with redevelopment of blighted areas. The General Plan identifies areas of over 3,000 acres, of which substantial parts should be cleared, and redeveloped largely with private construction. This entire job, under similar assumptions, would result in \$400 million of new residential construction (50,000 dwelling units), and nearly \$100 million of non-residential (11 million square feet), totalling nearly half a billion dollars. Desirable as it might be, the whole job is very unlikely to be done in 20 years' time. In fact, under the present urban redevelopment formula and the present rate of Federal aid it might take 160 years! It is not unreasonable, however, to forecast a doubling of the present rate of progress, which would mean that a quarter of the total job would be done in 20 years, involving construction worth \$120 million.

The third item involves replacement of obsolete structures, which is sure to occur, outside of "redevelopment" areas. We have at least 30,000 dwelling units already over 50 years old, in other parts of Boston. By the time they are over 70 years old, many will have been demolished and replaced on a piecemeal

basis. It is also estimated that outside of redevelopment areas we have over 80 million square feet of non-residential floor space in second-class (non-fireproof) structures, much of which is already obsolete and overdue for replacement. An assumption that half the average residences and half the second-class non-residential floor space will be replaced in 20 years produces a total for this kind of construction of \$440 million.

The remaining item is alterations and conversions, which have been running since 1945 at an average annual rate of \$10 million. In the absence of another basis for projection, this rate over 20 years equals \$200 million.

These four kinds of potential construction, then, add up as follows for the 20 years ahead:

Construction on Vacant Land	\$270,000,000
Construction in Redevelopment Areas	120,000,000
Replacement in Other Areas	440,000,000
Alterations and Conversions	200,000,000
	<hr/>
	\$1,030,000,000

Set against this billion-dollar figure is the record of the last 7 postwar years, for which building permit values have been running at an annual average of \$45 million, including a substantial proportion of public and institutional building that is omitted from the above figures. A 20-year projection of this figure gives a total of \$900,000,000, which, if discounted for public and institutional building, would be substantially less than the prior figure. This lower rate, however, has occurred during a difficult post-war adjustment period, under adverse local tax-rate conditions, and under the old zoning. It is not claimed that modern zoning alone will attract investment capital; other improvements in the climate for new construction are obviously vital. But new zoning, with the guidance of progressive city planning, and working hand in hand with improvements in public service facilities, traffic improvement, and neighborhood conservation, under an alert and efficient administration, may well make the difference between present rates of private construction and the estimated volumes of private building on vacant land and in replacement and redevelopment.

If a better zoning framework could be credited with only a quarter of the difference between present private construction rates and the assumptions outlined above, it might be worth something like \$5,000,000 of additional tax income to the City of Boston every year, as of 20 years from now - or an increase averaging a quarter of a million dollars each year.

Even if there were to be no increase, however, the guidance of planned zoning to about a billion dollars worth of new buildings is in itself of inestimable value to the community.

Zoning is a powerful tool to give force and effect to the long-range planning policies of the General Plan of Boston, and thereby to contribute to community well-being and prosperity by assurance of a sound tax base, by protection of existing and future real estate investment, and by enhancement of living values for the people of the city.

OBJECTIVES OF REZONING

To achieve these broad goals of city progress, four related objectives have been crystallized. These are the overriding guides to the specific policy recommendations on the rezoning of the city which have been developed during the past year of the City Planning Board's work and which are summarized later in this report. These generalized objectives fall under the following headings:

1. Promotion. Changes in the zoning map and regulations should be designed to encourage new construction of and investment in desirable types of buildings and land uses, so as to strengthen the economy of the community and enhance its livability. Whatever inhibitions to such desirable development inhere in the present zoning should be removed, and the new provisions should take account of new building types, technological changes, and other changes in standards of design and construction that have occurred over the past 30 years.

2. Protection. The new zoning, involving changes both in the text of the regulations and in the location on the map of zoning districts, should be designed to give the maximum of protection to existing good development, and to the desirable new development sought to be promoted. This means an assurance of good standards of light and air, of building spacing and density, and of population density. It means also careful location of the districts and boundaries on the zoning map, based upon local neighborhood and district plans that relate local land uses in an orderly way to each other and to the requirements of the whole community. It means preservation of sound, homogeneous areas from the intrusion of incompatible land uses. This objective offers a special challenge, to protect and enhance the good things that exist, and at the same time to promote new good things which, just because they are new, will be different in character from the old.

3. Correction. The new zoning should not only assure a high standard for all new construction, but also bring about corrections of past low-standard buildings, over a period of time and where this can be done equitably. This means the reduction of nuisances, the gradual elimination of non-conforming uses, and perhaps in some situations the provision of new facilities (such as off-street truck-loading docks for downtown buildings that lack them). To be effective in promotion and protection, the new zoning must also be effective in this kind of correction.

4. Adaptation. The new zoning should be so drawn that it can be changed from time to time to meet changing conditions, and also that it can be applied from day to day to produce the best community results from any given situation. This flexibility requires provisions for appeals, for variances, for special exceptions, and for amendments to both map and text. Also needed are practical provisions to administer these adaptations without short-sighted or localized appeasements of pressure, but rather with full awareness of long-term and city-wide effects of each decision from a city planning point of view. Another important aspect of desirable flexibility is a coordination of administration and enforcement that will minimize the red tape now involved in securing permits for major building undertakings, and thus facilitate new investment without jeopardizing protection of the public interest.

PROGRESS TOWARD NEW ZONING

These four sets of objectives have guided the studies leading up to a series of specific zoning policy proposals, which are here laid before the public officials, citizens, and business leaders of the community. Concurrence with these policy decisions, tied in with the long-range goals of the Preliminary General Plan, is the first pier of the necessary three-point foundation for the final task of drawing up the new zoning.

The second pier of the foundation is a full study of land use and land development throughout the city. During the past year, work on the proposed zoning policies has been paralleled by work to prepare a new land use map, bringing up to date the 1935 survey. At the same time, more intensive study of the key Central Area has proceeded, resulting in a detailed inventory of downtown floor-space use, building types and building densities.

The first pier constitutes the statement of goals - what the zoning seeks to accomplish. The second is a statement of existing conditions - where the city is today, on its road to progress, and what are the real potentials. The third pier is the de-

tailed planning study of every part of the city, refining the broad strokes of the General Plan, so as to make possible the design of a zoning map and code that will fit the policy-goals to the existing conditions in a practical way.

This third phase of the study is the major task ahead. It involves the preparation of land-use and density plans for each of Boston's communities, with special emphasis on the Central Area. These plans must take account not only of land use, but also of express highways, streets, and circulation plans, of future patterns of schools and recreation areas, and of other public service facilities. Their preparation will require a maximum of collaboration among the Planning Board, the various City operating departments, and local citizen groups who as the ultimate consumers of the planner's product will have the final say as to the validity of the plans.

It is the intent of the Planning Board to proceed at once with work on these sub-community plans, with the purpose of bringing them to the point where a final zoning map and code can be completed by the end of 1954.

In the meantime, it is clearly essential to the scheduled progress of the work that the Board should have the advantage of public and other official comment on the proposed zoning policies summarized in the following sections of this report. Unless broad community agreement exists on these matters of policy, the final zoning product will have little chance of acceptance by the community or of effectiveness as a guide to progress.

II. SUMMARY OF FINDINGS AND POLICY PROPOSALS

The fact that Boston has been developing and rebuilding itself at the rate of 45 million dollars a year since World War II, and that it can probably look forward to a billion dollar construction program during the next twenty years, emphasizes the need for an approach to the problem of revising the city's zoning regulations in accordance with modern requirements. A zoning code adopted within the next year or two will have an impact not so much on existing structures as on new development. A major objective of studies to date has been the determination, in so far as possible, of the nature of the changes that can be anticipated in the use of land and in the character of buildings to be erected in Boston in the foreseeable future.

This section of the report is concerned primarily with conclusions which may reasonably be drawn from the studies made so far.

Specific policies are proposed in regard to regulatory measures governing building and administration, and pertaining to certain locations in Boston where the pattern of development seems outmoded and might be corrected through zoning.

These proposals are based on analysis of trends and standards. They pertain to recent construction in the area, problems and opportunities peculiar to certain sections of the city, and administrative difficulties related to zoning that need to be considered.

The sections of the report that follow are essentially extracts from a series of comprehensive statements of a more technical nature which constitute a supplementary report. Indi-

viduals having a special interest in a particular phase of the report are referred to the offices of the City Planning Board for copies of the supplementary report.

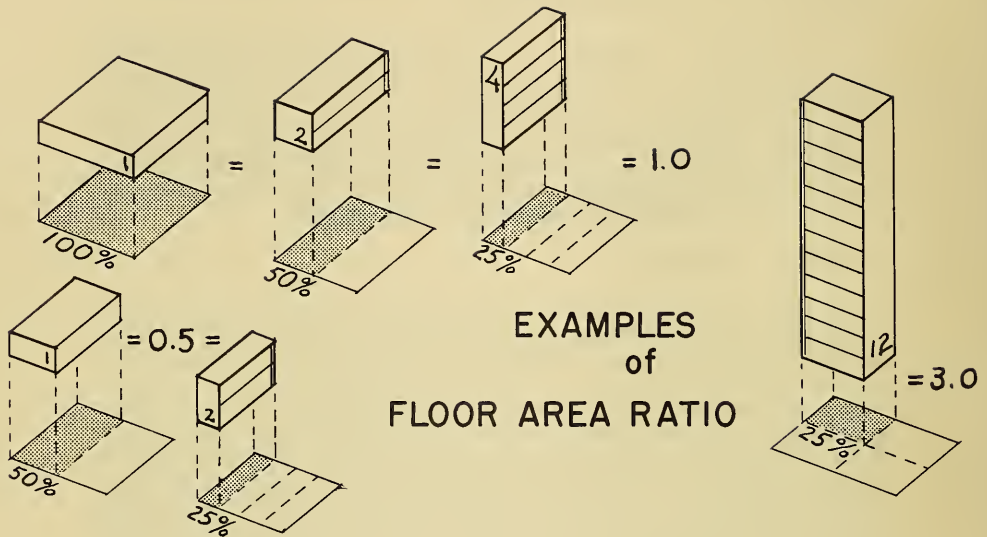
A word of caution is in order concerning the proposals recommended for adoption. These should not be considered a final prescription for what ought to take place, nor are the findings a prediction of what will take place. To the extent that forecasts are made they should be considered as merely an estimate of what might take place if reasonable planning measures in line with the policy proposals are adopted and given the opportunity to contribute to the development of the community.

GENERAL POLICIES

The following five general policy proposals incorporate conclusions derived from all phases of the zoning study to date, and are the basis of many of the more specific policies proposed:

1. Building bulk can be most directly expressed, for most types of residential and non-residential buildings, in terms of "floor area ratio"; that is, the ratio of the total areas of all floors in the building to the area of the lot on which it is placed. ("Floor area" is taken to include not only room areas, but also halls, closets, stairwells, and wall-thicknesses.) Floor area ratio describes building "density" directly, and therefore describes indirectly population density: of residents in apartments, of shoppers in stores, of workers in factories. It is therefore the best way of comparing for different buildings the "load on the land", the burden that will be placed on streets, parking facilities, public utilities and services.

Thus a floor area ratio of 1.0 could represent a one-story building covering the entire lot, or the same floor area in a two-story building covering half the lot, or a four-story building on a quarter of the lot. A one-story building covering half the lot would have a floor area ratio of 0.5, as would a two-story building covering a quarter of the lot. A twelve-story building would have a floor area ratio of 3.0 if it covered only a quarter of the lot, or 6.0 if it covered half the lot.



It is proposed to regulate building density by setting maximum floor area ratios in each zoning district. The traditional regulation of maximum building-height combined with maximum lot-coverage is really an indirect way of controlling maximum floor area ratio. Its disadvantage is that it does not permit as much flexibility in freedom of design to the individual lot-developer. Floor area ratio controls have been successfully used in England and in several cities in this country, of which Cleveland is one example; a number of other American cities are proposing new zoning ordinances using this control. In order to assure adequate light and air to adjoining properties, however, it has to be supplemented by other regulations dealing with the set-back of the building from the street and from side and rear lot lines.

2. Floor area ratios in each zoning district can be safely set at lower figures than Boston's present zoning permits, without running counter to current design and construction practice.

3. In order to achieve the highest quality of construction, the greatest stability of present and future real-estate invest-

ment, the maximum of amenity, and the lowest level of public expenditures for traffic improvements and other public works, Boston's new zoning should recognize the long-range trend toward lower densities in setting maximum floor area ratios for each zone and for each type of use.

4. Because of its comparatively weak competitive position in relation to suburban areas, Boston's zoning probably cannot afford to require new construction to follow higher design standards than private builders commonly use in the suburbs. Boston, however, may safely incorporate good current building practice, rather than suburban zoning practice, where actual construction throughout the metropolitan area already follows higher standards than suburban zoning requires.

5. Floor area ratios for all types of building should be so set as to require lower maximum densities at further distances from the city center, with a few possible exceptions at outer subcenters where high levels of accessibility justify high densities over relatively small areas. With these exceptions, floor area ratios in excess of 2.0 are not needed outside of Boston's central area.

LAND USE TRENDS

1. Technical Studies

The zoning study clearly requires current information on the use of all land and buildings in the city. Preliminary to any general planning, the data of the 1935 city-wide survey needed to be brought up-to-date. This work is well advanced. The maps involved are currently being drafted by the staff and are due to be completed by the end of the year. Land use studies of the Central Area have been separately conducted in much greater detail; mapped data and statistical information became available to the zoning study in mid-1953. The studies of post-war construction described in the Technical Supplement also contribute relevant conclusions on overall land use trends.

The new land use maps have been completed for Charlestown, South Boston, Brighton, the Embankment Road-Park Drive area, and Dorchester, as well as for the Central Area. Taken together with the 1935 set, these maps enable direct comparisons to be made of the changes that have taken place during the intervening era. They throw light on zoning trends in each section of the city pertaining to economic activities, building practices, and administrative operation.

Overlays of the two sets of maps show specifically the growth or decline of industrial and commercial establishments in the various sections of the city as well as changes in automotive and transportation facilities, filled land, and other alterations of a significant nature. The overlays are useful in showing basic trends.

The new land use data also indicate the areas where the present zoning districts are inconsistent with existing uses or clean-cut trends.

This series of studies is basic to the preparation of long-range development plans for each sub-community of Boston, and to the delineation of proposed zoning districts.

2. General Findings: Relationship of Present Land Use to Present Zoning.

a. Commercial frontage, especially along major thoroughfares, has been allocated far in excess of the amount of land actually used for this purpose. At the same time, depth is not sufficient to accommodate new types of construction. The trend toward concentrated centers and the fact that a great portion of commercially-zoned land has been developed with other kinds of uses provide an opportunity for cutting down on the extent of marginal business zones and building up the significantly placed zones.

b. Regulations governing apartments, business, and industry permit far greater density or bulk than will ever be needed by existing development, and are especially inapplicable to new types of construction.

c. Uses allocated to a particular district have been able to intrude in numerous instances into more restricted districts. This points up administrative inconsistencies, and perhaps in some areas an infeasible district classification.

d. Throughout the city, there is a need for the assembly of larger parcels in single ownership, in order to permit development and redevelopment of areas in accord with modern standards. The great majority of residential parcels, some of which were developed over a century ago, are unable to conform to modern standards of density, coverage, open space, and setback. The structures involved are continually undergoing alterations and pose special problems for the agencies concerned with administration and enforcement of zoning regulations. It is

important that provisions dealing with these buildings be made flexible enough not to discourage beneficial changes.

3. Policy Proposals on Land Use and Zoning

Recommendations governing the revision of maps can only be sketchy at this point, since they will be largely dependent on preliminary design considerations and must be supplemented by intensive neighborhood studies. This latter phase of operations, it is anticipated, will be carried out during the calendar year 1954, at which time a zoning map for the entire City of Boston will be prepared.

Specific changes in zoning and land use that appear to merit consideration have been analyzed and are included in the Technical Supplement.

MAJOR REGULATORY STANDARDS

1. Technical Studies and Findings

Prior to setting any standards governing new construction in Boston, it is essential to understand past and current practices of design and construction of the major types of buildings. For this purpose, extensive investigations have been made of post-war developments throughout the metropolitan area. The critical problems posed by the Central Area have also been examined, in conjunction with current staff studies.

One hundred examples of new building, located preponderantly in Boston, indicate that the ratio of construction of stores, institutions, and warehouses in the city has been favorable when compared with the region as a whole. Institutions, with a tax-exempt status, have been especially numerous. Factories, on the other hand, indicate a distinct preference for sites outside the city, either because of better sites available there or because of physical and economic disadvantages believed by industry to be inherent in Boston.

Patterns of location within the city show new retail stores and institutions scattered throughout the city, offices downtown only, and warehouses and the few factories occurring in the intermediate areas, at points outside of the downtown sections but no further than four miles distant. In the region as a whole, new elevator apartments and two walkup apartments have been built within three miles of downtown, while the other walkup apartments occurred as follows: three-story developments between three and five miles, two-story developments beyond five miles.



USE of MAJOR POST-WAR BUILDINGS



FLOOR AREA RATIOS of MAJOR POSTWAR BLDGS.

Density contrasts in the new construction are especially significant. Of the non-residential examples, eight of nine having a floor area ratio higher than 2.0 are within the downtown one-mile core, where median density ranges from 2.5 to 5.0. In the other mile rings, 70 of 71 examples are under 2.0 as follows: in the one to two-mile ring, the median density is 0.75; two to three-mile ring, 0.5 to 0.75; outer rings, less than 0.5. This pattern of lower densities as one proceeds further from the center bears out an entirely reasonable and logical assumption; it is significant that the data demonstrate it so clearly.

Completion by the staff of the Planning Board of an inventory of non-residential floor-space in the core of the Central Area has also yielded much information directly pertinent to future zoning policies. There is overwhelming evidence that past building here, as in the balance of the city, has been at markedly lower floor area ratios than the zoning permits, and that the most recent construction is even lower than that of the past. Downtown, for example, the highest floor-area-ratio found for post-war construction was below 8.0, where zoning allowed about 15.0. In other zones, use of coverage and building height well below maximum allowances are the rule.

2. Policy Proposals on Regulatory Standards

The foregoing evaluations indicate a desirability to establish more realistic standards in keeping with good practices already well under way. The following are suggested for application in areas with different needs, with recognition that exceptions must be provided for:

PROPOSED MAXIMUM FLOOR AREA RATIOS AND OFF-STREET LOADING AND PARKING REQUIREMENTS

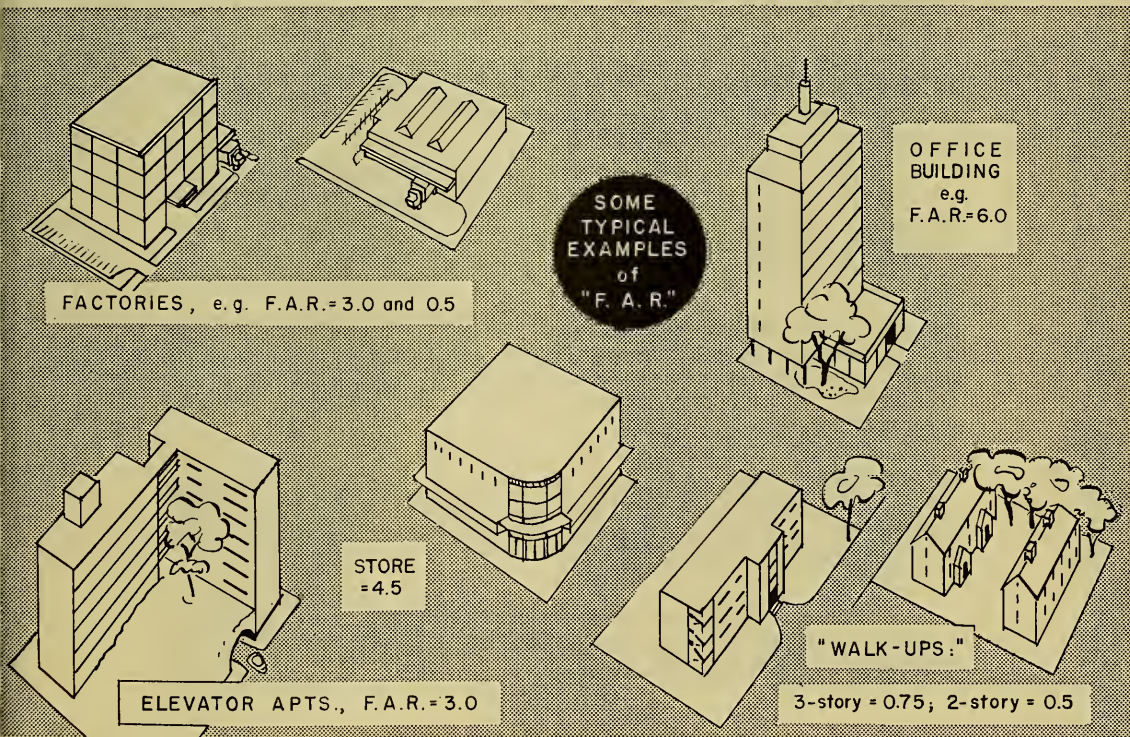
PREDOMINANT TYPE OF USE	CENTRAL BOSTON		OUTER AREAS OF HIGH ACCESSIBILITY		OUTLYING AREAS	
FACTORIES and WAREHOUSES	2.0-4.0	L p			0.5	LP
OFFICE BUILDINGS	5.0-8.0	L	1.0-4.0	L p	0.5	LP
RETAIL STORES	3.0-5.0	L	1.0-2.0	L p	0.5	LP
ELEVATOR APARTMENTS	2.0-3.0	D p	1.5	D P		
WALK-UP APARTMENTS	0.75	D P			0.5	D P
SINGLE-FAMILY DWELLINGS						D

D= other density controls supplementary to, or replacing floor area ratios

L= off-street loading required, with exceptions for small parcels

P= off-street parking required

p= off-street parking at lesser ratio than in area where highest standard applies



PROPOSED REGULATORY STANDARDS

ZONING ADMINISTRATION

1. Current Zoning Regulations

Since its enactment in 1924, the present zoning statute has never been comprehensively revised. It does not stand, of course, entirely in its original form. First, the Board of Zoning Adjustment has given thoughtful attention to a great number of map changes. But each change has of necessity been piecemeal, viewed as a small fragment of the city and made within the framework of increasingly obsolete regulatory provisions.

Second, a few changes in the regulations have been made, but because they must each be handled by the General Court (State Legislature) as an amendment to a state statute, the process is cumbersome and the changes are unrelated, making it difficult to keep up with the best current practice.

Third, the Board of Appeals has sought to act as escape valve in critical cases, but because of its limitations of authority its action too must be partial and piecemeal.

In general, it would not be unfair to say that since 1924, the whole zoning process has been regrettably divorced from planning requirements -- from the long-range, over-all view of land use and population distribution and their relationship to circulation and other aspects of city growth.

Three studies dealing with the administrative aspects of zoning have been undertaken. First, an analysis of provisions incorporated in the present regulations has been completed and compared with the best current practice in Massachusetts and other states.

Second, enumeration of cases that have come before the Board of Appeals during the past eight years is under way. These will be grouped under pertinent categories and related by means of a spot map and other analysis.

Third, regulations of the Commonwealth and court decisions that have a bearing on land development in the City of Boston have been studied.

2. Policy Proposals

a. General Administration

Closer liaison is needed between all the agencies and officials involved in the zoning process: The City Planning Board, the Building Commissioner and Zoning Administrator, the Board of Appeal, and the Board of Zoning Adjustment.

Since the Planning Board now serves as co-ordinator for other municipal functions such as the Capital Improvement Program, and since the zoning process exerts a great influence over planning decisions, the Planning Board may well take the lead in tying together the work of the various agencies more closely. This could be accomplished, for example, by having a staff member of the Board assigned to attend all meetings and hearings involving zoning appeals and amendments and reporting on matters of mutual concern.

b. Enforcement

There is strong evidence that a great gain in efficiency would result if applications for building permits were handled by a central agency that would clear the application with appropriate departments of both city and state. Petitions would still be initiated by the applicant, but clear directions would be given by the zoning administrator or central agency.

Present building and zoning regulations do not give a clear understanding of the numerous requirements that must be met in the processing of an application for a permit. In addition to municipal regulations, the proposed use or occupancy must frequently be checked with various state regulations. Many agencies may be involved in processing a single application, and unnecessary delays sometimes result.

It is apparent that no consistent policy now prevails for referring to controls over use and occupancy exercised by many different public agencies outside of zoning officials and boards. To cite all such provisions in the code would be complicated and burdensome. It would be desirable, therefore, to include only those related provisions where the Zoning Law is intended to give additional power or to modify an existing control by a licensing or other agency.

Variances in height, bulk, yards and other provisions are being ably handled by the Board of Appeals, and no change in this procedure should be made.

To best serve the goal of promoting desirable new development, the spirit of the zoning regulations and of the agencies administering them should be positive rather than negative. The emphasis should be not on prohibiting bad things, but rather on permitting and encouraging good things.

c. Appeal

The new zoning should more clearly differentiate between variances and special exceptions. Variances in height, bulk, yards, and other provisions are being ably handled by the Board of Appeals, and no change in this procedure should be made. It would be in line with the best modern practice, however, if the granting of special exceptions were transferred from the various agencies that now process them and likewise placed under the Board of Appeals, with the requirement that advisory reports be received from the Planning Board and other agencies appropriate to the case before action was taken. An alternative that has been established by a number of municipalities would be to give the Planning Board jurisdiction over those special exceptions that involve major changes in the use of land.

Examples of items that should be considered for processing as special exceptions include expansion or resumption of non-conforming uses, permission of industrial uses not specifically mentioned in the statute but similar to others included, filling stations in certain districts, and parking areas accessory to and within a specified distance from business and industrial uses.

d. Amendment

The present method of amending district classifications and boundaries (map changes) has a number of advantages over placing this responsibility in the hands of the legislative body. It is proposed that this method be continued. In common with the practice now followed in other cities and towns of the Commonwealth, however, it would be desirable to require an advisory report by the Planning Board before action is taken.

No other city in the Commonwealth is required to go through the State Legislature to enact or to effect a change in the zoning text. Boston should be granted this aspect of local autonomy. One feasible procedure would be to submit such a proposed amendment first to the Planning Board, which, after consideration of the matter, would forward it with a recommendation to the Board of Zoning Adjustment. The latter would hold a public hearing and its approval of the change would require a confirm-

ing vote of at least two-thirds of the members of the City Council. Disapproval by the Board of Zoning Adjustment would amount to dismissal of the proposed change.

COMMENTS AND REACTIONS

The tentative recommendations summarized above have been developed during the past year by the staff and consultants of the Planning Board. The Board itself has reviewed them, and authorized their publication in order to secure comment and criticism from other public officials and citizens with a special interest in zoning.

Since these policies will be the basis for the further work on the new zoning code, it is vital that they be crystallized through community discussion and final revision as soon as possible. The Planning Board therefore urges that suggestions and critical opinions be transmitted to it within the first three months of 1954, so that it may have the benefit of as much informed advice as possible in instructing its staff and consultants during the final stages of the rezoning study.

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